

BINGHAM

Douglas D. Orvis II
Direct Phone: (202) 373-6041
Direct Fax: (202) 373-6001
douglas.orvis@bingham.com

March 9, 2009

VIA EMAIL AND OVERNIGHT MAIL

John V. Giusti
Acting Chief, International Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Petition for Protection from Whipsawing and Stop Settlement
Payment Order on U.S.-Tonga Route (IB Docket No. 09-10)

Dear Mr. Giusti:

By its undersigned counsel, KPN International Network Services, Inc. ("KPN International"), responds to the International Bureau's request regarding KPN International's carrier relationships regarding IMTS traffic to Tonga. Pursuant to conversations between KPN International's counsel, and Commission staff, KPN International was given an extension of time to respond to the Bureau's request dated February 18, 2009.

1. Please confirm whether KPN International provides or provided facilities-based IMTS service between the U.S. and Tonga in the calendar year 2008 and/or within this calendar year 2009.

A: KPN International did not provide facilities-based IMTS between the U.S. and Tonga in 2008, nor has KPN International provided facilities-based IMTS between the U.S. and Tonga in 2009.

2. Please indicate whether KPN International has or had in the calendar year 2008 and/or within this calendar year 2009 direct circuits to Tonga (*i.e.*, wholly or jointly owned circuits between the United States and Tonga) and exchanged IMTS traffic over such circuits with TCC, Digicel Tonga Ltd. (Digicel) or its affiliates, or any other earner authorized to provide telecommunications service in Tonga. If so, please provide a copy of any operating agreement(s) for 2008 and/or 2009 for the exchange of traffic with Tonga into which you have entered with any of the aforementioned entities, including all rate and discount schedules or amendments.

A: KPN International did not have direct circuits between the U.S. and Tonga in 2008 or in 2009.

Boston
Hartford
Hong Kong
London
Los Angeles
New York
Orange County
San Francisco
Santa Monica
Silicon Valley
Tokyo
Walnut Creek
Washington

Bingham McCutchen LLP
2020 K Street NW
Washington, DC
20006-1806

T 202.373.6000
F 202.373.6001
bingham.com

3. If KPN International has or had direct circuits to Tonga, please indicate if and when those circuits were disrupted, and the circumstances under which the disruption occurred.

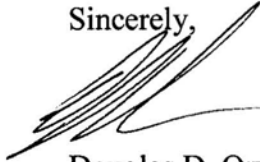
A: As KPN International did not have any direct circuits, this question is not applicable.

4. Please indicate whether KPN International currently provides or provided during the calendar year 2008 and/or calendar year 2009 IMTS service to or from Tonga through an alternative operating arrangement {e.g., through a third party or country). If so, please identify those carriers and countries, briefly describe those arrangements and specify the settlement rates (including any discounts) for the exchange of traffic with Tonga during 2008 and/or 2009. (Note: we are not at this time requesting copies of operating agreements associated with third party routing arrangements through another country).

A: KPN International does not know whether any Tonga-destined traffic carried by KPN International was or was not IMTS service. Any and all traffic carried by KPN International that originates or terminates in Tonga (if any) is wholesale in nature and is carried by third party carriers on a re-file basis.

If you have any additional questions, please contact the undersigned.

Sincerely,



Douglas D. Orvis II
Counsel to KPN International Network Services, Inc.

cc: James Ball, FCC, *via email only* (James.Ball@FCC.gov)
David Krech, FCC, *via email only* (David.Krech@FCC.gov)
Kimberly Cook, FCC, *via email only* (Kimberly.Cook@FCC.gov)
Cara Grayer, FCC, *via email only* (Cara.Grayer@FCC.gov)
Anita Dey, FCC, *via email only* (Anita.Dey@FCC.gov)
Arthur Lechtman, FCC, *via email only* (Arthur.Lechtman@FCC.gov)
Kyle Hoffman, iBasis, Inc. (khoffman@ibasis.net)